

KIRSTEN A. MILTON, ESQ.
Nevada Bar No. 14401
JOSHUA A. SLIKER, ESQ.
Nevada Bar No. 12493
JACKSON LEWIS P.C.
300 S. Fourth Street, Suite 900
Las Vegas, Nevada 89101
Telephone: (702) 921-2460
Facsimile: (702) 921-2461
Email: kirsten.milton@jacksonlewis.com
Email: joshua.sliker@jacksonlewis.com

*Attorneys for Defendant
Wyndham Vacation Ownership, Inc.*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ROBERT GARIBAY, on behalf of himself
and all others similarly situated,

Plaintiff,

vs.

WYNDHAM VACATION OWNERSHIP
INC.; and DOES I through 50, inclusive,

Defendants.

Case No. 2:21-cv-00439-JAD-NJK

ORDER GRANTING STIPULATION:

(1) TO STAY CASE; AND

**(2) EXTEND DEADLINE FOR
DEFENDANT TO FILE A
RESPONSE TO PLAINTIFF'S
COMPLAINT**

[ECF Nos. 13, 14]

Defendant Wyndham Vacation Ownership, Inc. (incorrectly identified as “Wyndham Vacation Ownership Inc.”) by and through its counsel, Jackson Lewis P.C., and Plaintiff Robert Garibay (“Plaintiff”) by and through his counsel, Thierman Buck LLP and Gabroy Law Offices, hereby stipulate and agree as follows:

1. Over the past several weeks, the parties have had numerous discussions regarding resolution of this case.
2. Today, May 13, 2021, the parties reached an agreement to engage in mediation with Hon. David Wall (Ret.).
3. The parties are working with Judge Wall’s office to determine the earliest available date and time to conduct the mediation, but anticipate that it will take place within the next ninety (90) days.

1 4. As such, the parties agree to stay this case and all deadlines therein for ninety (90)
2 days to **August 11, 2021** in order to conserve the parties' and court's respective time and
3 resources, and focus their efforts on mediation.

4 5. The parties have also agreed to extend the time for Defendant to file an answer or
5 otherwise respond to Plaintiff's Complaint to **August 25, 2021** which is fourteen (14) days after
6 the expiration of the stay based on the following:

7 a. Defendant was served on February 25, 2021 with a copy of the Complaint
8 filed in State Court, and filed a Notice of Removal on March 17, 2021. ECF
9 No. 1. Defendant's response to Plaintiff's Complaint was originally due on
10 March 24, 2021.

11 b. On March 23, 2021, the Court granted the parties' first request for an
12 extension of time to April 14, 2021 for Defendant to file a response to the
13 Complaint to allow defense counsel sufficient time to investigate the
14 allegations of the Complaint. ECF No. 5. On April 13, 2021, the Court
15 granted the parties' second request for an extension of time to April 28, 2021
16 for Defendant to file a response to the Complaint. ECF No. 10. On April 26,
17 2021, the Court granted the parties' third request for an extension of time to
18 May 12, 2021 for Defendant to file a response to the Complaint. ECF No.
19 12.

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 This stipulation and order is sought in good faith and not for the purpose of delay.

2 Dated this 13th day of May, 2021.

3 JACKSON LEWIS P.C.

THIERMAN BUCK LLP

4 /s/ Joshua A. Sliker

5 Kirsten A. Milton, Bar #14401
6 Joshua A. Sliker, Bar #12493
300 S. Fourth Street, Suite 900
Las Vegas, Nevada 89101

7 *Attorneys for Defendant*

/s/ Joshua D. Buck

Mark R. Thierman, Bar #8285
Joshua D. Buck, Bar #12187
Leah L. Jones, Bar #13161
Joshua R. Hendrickson, Bar #12225
7287 Lakeside Drive
Reno, Nevada 89511


Christian Gabroy, Bar #8805
Kaine Messer, Bar #14240
GABROY LAW OFFICES
170 South Green Valley Parkway, Suite 280
Henderson, Nevada 89012

Attorneys for Plaintiff

15 **Order**

16 The parties stipulate to stay this action for 90 days [ECF No. 13] and to extend the
17 deadline for Wyndham Vacation Ownership, Inc. to respond to Robert Garibay's complaint
[ECF No. 14], arguing that this relief will conserve the court's and parties' time and resources
while the parties focus on the mediation that they have agreed to engage in.

18 Good cause appearing, IT IS HEREBY ORDERED that the parties' stipulations [ECF
19 Nos. 13, 14] are **GRANTED**. This case is **STAYED for all purposes through August 11,**
20 **2021**. Wyndham's deadline to respond to Garibay's complaint is **EXTENDED to August 25,**
21 **2021**.

22 
23 U.S. District Court Judge Jennifer A. Dorsey
24 May 18, 2021